

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STACY ANN WILSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:22-cv-00429-DAD-BAK (BAM)

ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO OBEY A COURT
ORDER AND FOR FAILURE TO
PROSECUTE

(Doc. 7)

FOURTEEN-DAY DEADLINE

Plaintiff Stacy Ann Wilson, through counsel, initiated this action seeking judicial review of the final decision of the Social Security Commissioner denying her application for benefits under the Social Security Act on April 12, 2022. (Doc. 1.) Plaintiff did not pay the filing fee and instead filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. 2.)

On April 14, 2022, the undersigned issued findings recommending that Plaintiff's motion to proceed *in forma pauperis* be denied because Plaintiff had failed to show that she is unable to pay the required filing fees pursuant to 28 U.S.C. § 1915. (Doc. 4.) Those findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days of service. (*Id.* at 2.) No objections were filed.

On May 6, 2022, the district judge adopted the findings and recommendations in full, denied Plaintiff's application to proceed *in forma pauperis*, and directed Plaintiff to pay the

1 \$402.00 filing fee in full within thirty (30) days in order to proceed with this action or face
2 dismissal without prejudice to refiling upon payment of the filing fee. (Doc. 7.) No filing fee
3 has been paid, and the time in which to do so has now passed.

4 Plaintiff is HEREBY ORDERED to SHOW CAUSE why this action should not be
5 dismissed without prejudice based on Plaintiff's failure to pay the \$402.00 filing fee in full,
6 failure to comply with the Court's order and failure to prosecute this action. Within **fourteen**
7 **(14) days** of the date of this order, Plaintiff shall pay the \$402.00 filing fee for this action or face
8 a recommendation for dismissal without prejudice to refiling upon payment of the filing fee.

9 **Plaintiff is advised that failure to respond to this order will result in a**
10 **recommendation for dismissal of this action without prejudice for failure to obey court**
11 **orders and failure to prosecute.**

12
13 IT IS SO ORDERED.

14 Dated: June 13, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE